



## DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

Program Support Center

Rockville, MD 20857

JUL 25 2012

CERTIFICATE OF INDEBTEDNESS

Jeffrey Marable, MD

Ref: 50160011

Total debt due to the United States of America as of June 26, 2012: \$108,860.04 (principal \$107,597.97, interest \$1,262.07, administrative costs \$0.00).

I certify that the Department of Health and Human Services' (HHS) records show that the debtor named above is indebted to the United States in the amount stated above, plus additional interest on the principal balance of \$107,597.97 from June 26, 2012, at the rate of 3.125%. Interest accrues on the principal amount of this debt at the rate of \$9.22 per day. Interest is computed at a variable rate and is adjusted quarterly. Due to the annual compounding of interest, the current principal amount is greater than the original amount borrowed.

The claim arose in connection with a Government-insured Health Education Assistance Loan (HEAL) made by a private lender and assigned to the United States.

As a student at the New York Medical College, you applied for and were granted Health Education Assistance Loans (HEAL), Section 701-720 of the Public Health Service Act (42 U.S.C. 292 f-p). You consolidated your HEAL loans into one HEAL Relief Account loan in the amount of \$94,566.33. You signed a promissory note on February 21, 1995, agreeing to repay the loan at a variable rate of interest.

Upon your leaving the New York Medical College, you were furnished a repayment schedule by the SLMA with notification that payments were to begin April 24, 1995. Between April 19, 1995, and January 18, 2005, you made one hundred fifty three (153) payments, totaling \$82,011.43.

On January 5, 2005, in the United States Bankruptcy Court, Southern District of Ohio, you filed a petition for relief under Title 11 U.S.C. Chapter 13 (Case No. 05-50132). The bankruptcy was discharged on May 24, 2010, however, your HEAL debt was not dischargeable under bankruptcy.

Due to your bankruptcy, the SLMA filed an insurance claim with the Department of Health and Human Services (HHS). The amount due was \$75,891.00. The lender's claim was paid on February 10, 2005, and an assignment of the note was received.

The HHS notified you by letter dated February 18, 2005, that the previous holder of your promissory note submitted an insurance claim and assigned your note to the U.S. Government.

In a letter dated May 25, 2010, you were notified that although payments on your HEAL debt had been suspended during your bankruptcy proceedings, your debt was not subject to cancellation by bankruptcy discharge. You were provided instructions for entering into a repayment agreement (RA) with notice that it must be completed and returned within thirty (30) days along with a good faith payment. You did not comply.

In a letter dated January 21, 2011, you were notified of the HHS' intent to refer your HEAL debt to other Federal agencies for the purpose of administrative offset under the Debt Collection Improvement Act of 1996. You were advised that a written response, an RA, or payment in full received within sixty (60) days from the date of the letter would terminate administrative offset action. You did not comply.



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By letter dated January 29, 2011, you were notified that your account had been referred to NCO Financial Systems for collection. You were advised that your account would be referred to the U.S. Department of Justice (DOJ) if you failed to either remit payment in full or enter into an RA. You did not comply.

On April 25, 2012, you were notified that you had sixty (60) days in which to resolve your delinquent debt. You were advised that if you were unwilling to establish an RA, your case would be immediately referred to the Office of the Inspector General (OIG) for exclusion from participation in the Medicare/Medicaid Programs. The letter also informed you that in the event you did not enter into an RA, your debt would be referred to the DOJ for enforced collection. You did not comply.

The following provides a breakdown of credits and payments applied to your account:

|                        |                      |             |
|------------------------|----------------------|-------------|
| 153 Payments to Lender | 04/19/95 to 01/18/05 | \$82,011.43 |
| 2 Lender Refunds       | 03/10/05 & 03/29/05  | \$ 574.09   |
| Total Amount Applied   |                      | \$82,585.52 |

Repeated attempts by HHS have been unsuccessful in establishing an acceptable repayment schedule for your debt. Because of your lack of cooperation the federal government is exercising its option and declaring your note due and payable. Accordingly, your debt has now been referred to the DOJ for enforced collection.

The amount due should be remitted by check, draft or money order(s) payable to the "U.S. Department of Justice" and mailed directly to the United States Attorney, Southern District of Ohio, 303 Marconi Blvd, Ste 200, Columbus, OH 43215.

**CERTIFICATION:** Pursuant to 28 U.S.C. 1746, I certify under penalty of perjury that the foregoing is true and correct.

JUL 25 2012

Date



Barry M. Blum  
Chief, Referral Control Section  
Debt Management Branch